

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

FRANCISCO FAUSTO,	)	
	)	
Plaintiff,	)	Case No.: 1:22-cv-07120
	)	
v.	)	Honorable Judge Thomas M. Durkin
	)	
FERRARA CANDY CO.,	)	Magistrate Judge Jeffrey T. Gilbert
	)	
Defendant.	)	

**JOINT INITIAL STATUS REPORT**

**1. The Nature of the Case:**

a. Counsel:

Plaintiff's Counsel – Michael T. Smith

Defendant's Counsel – Zachary A. Ahonen, Quinn P. Donnelly

b. Basis for Federal Jurisdiction:

The Court has subject-matter jurisdiction under 28 U.S.C. § 1331, as this action arises under Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e et seq.

c. Nature of the Claims:

Plaintiff is a former employee of Defendant. Plaintiff alleges a hostile work environment, discrimination, and retaliation under Title VII, for which he seeks lost earnings and benefits, emotional distress damages, reinstatement, actual damages, compensatory damages, and costs, including reasonable attorneys' fees. Defendant denies the allegations in Plaintiff's Complaint and denies he is entitled to the damages sought.

**2. Pending Motions and Case Plan:**

a. Pending Motions:

No pending motions.

b. Proposed Discovery Plan:

The Court has subject-matter jurisdiction under 28 U.S.C. § 1331, as this action arises under Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e et seq.

i. *General Type of Discovery:*

Fact discovery related to Plaintiff's employment with Defendant.

ii. *Date to Issues Written Discovery:*

May 8, 2023.

iii. *Expert Discovery Relevant to Dispositive Liability Motions:*

No expert discovery anticipated at this juncture.

iv. *Liability Discovery Completion Date:*

March 4, 2024.

v. *Deadline to Amend Pleadings:*

May 1, 2023.

c. E-Discovery:

i. *ESI:*

The parties expect minimal discovery of electronically stored information at this juncture.

ii. *Anticipated E-Discovery Disputes:*

The parties do not anticipate any electronic discovery disputes.

d. Jury Trial:

Plaintiff has requested a jury trial in the Civil Cover Sheet, but he has not requested a jury trial in the Complaint. The parties anticipate a potential jury trial would likely last 3-5 days.

**3. Consent to Proceed Before a Magistrate Judge:**

The parties do not unanimously consent to proceed before a Magistrate Judge for all matters in this case.

**4. Status of Settlement Discussions:**

a. Settlement Discussions:

Defendant has proposed resolution and sought a response from Plaintiff. Plaintiff has made no response to date.

b. Settlement Conference:

Given the lack of settlement negotiations to date, the parties do not request a settlement conference before the Magistrate Judge at this time.

Dated: April 10, 2023

Respectfully submitted,

PLAINTIFF, FRANCISCO FAUSTO

/s/ Michael T. Smith (w/permission)

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*Attorneys for Defendant*

**CERTIFICATE OF SERVICE**

The undersigned, an attorney, certifies that on April 10, 2023, I caused a true and correct copy of the attached *Joint Initial Status Report* to be filed with the Court by electronic filing protocols, and that same will therefore be electronically served upon all attorneys of record registered with the Court's ECF/CM system.

/s/ Zachary A. Ahonen  
Zachary A. Ahonen

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